TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

November 7, 1995.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. Archer, from the Committee on Ways and Means, submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.R. 2586]

[Including cost estimate of the Congressional Budget Office]

The Committee on Ways and Means, to whom was referred the bill (H.R. 2586) to provide for a temporary increase in the public debt limit, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

In the matter proposed to be inserted by section 1 of the bill, strike "\$4,950,000,000,000" and insert "\$4,967,000,000,000".

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I. INTRODUCTION

A. PURPOSE AND SUMMARY; BACKGROUND AND NEED FOR LEGISLATION

The bill increases the statutory limit on the public debt from the current \$4.9 trillion to \$4.967 trillion for debt outstanding prior to December 13, 1995. After December 12, 1995, the debt limit will be \$4.8 trillion. The legislation is needed because the current \$4.9 trillion limit will be reached in mid-November, and the Federal Government will be unable to issue any additional debt.

The bill also precludes the Secretary of the Treasury and other Federal officials from not properly crediting trust funds and special accounts with securities for the purposes of avoiding the limitations on the public debt. Further, Treasury and other officials may not sell or redeem securities, obligations or other assets of the trust funds and special accounts during a period when they are unable to issue new debt obligations except when necessary to provide for the payment of benefits and administrative expenses of the cash benefit programs.

In addition, the bill requires the Secretary of the Treasury to report to the Congress and the General Accounting Office (GAO) three days before making a sale or redemption of securities from the trust funds or special accounts during a period of debt limitation, and also requires the GAO to monitor compliance with these provisions and report its findings and recommendations to the Congress.

Finally, the bill repeals certain provisions of section 8348 of Title 5 of the U.S. Code relating to management of the Federal Civil Service Retirement Fund during periods of debt limitation.

B. LEGISLATIVE HISTORY

The bill was introduced on November 7, 1995, by Chairman Archer. The Committee on Ways and Means marked up the bill and ordered it favorably reported as amended on November 7, 1995. The Committee adopted an amendment (by voice vote) by Mr. Crane to increase the temporary debt limit to \$4.967 trillion instead of the \$4.950 trillion in the bill as introduced.

II. EXPLANATION OF THE BILL

Present Law and Background

The statutory limit on the public debt currently is \$4.9 trillion. It was set at this level in P.L. 103–66, enacted into law on August 10, 1993. It is projected that the current debt limit will be reached before the end of November 1995.

H.R. 2491 (the 1995 budget reconciliation bill), as passed by the House and the Senate, would increase the permanent public debt limit to \$5.5 trillion.

The various authorizing statutes of the major trust funds of the Federal Government and certain other Federal accounts require

that any program income not needed to meet current expenditures be invested in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. As of September 30, 1995, \$1,320 billion in Federal securities were held by Federal trust funds or other special accounts and comprised more than one quarter of all outstanding Federal debt. Almost half were held by the Social Security and Medicare trust funds—\$483 billion by Social Security and \$143 billion by Medicare. Most of the remainder were held by the Federal Civil Service and Military Retirement Funds—\$374 billion by the Federal Civil Service Retirement Fund and \$113 billion by the Military Retirement Fund. Together, the trust funds of these four programs accounted for 83 percent of the debt held in Federal trust funds and other special accounts. The vast majority of these securities are "special issue" non-marketable obligations of the United States. Virtually the entire amount of securities held by Federal trust funds and special accounts is considered Federal debt subject to the debt limit.

Subsections (j), (k), and (l) of section 8348 of Title 5 of the U.S. Code, and subsections (g) and (h) of section 8438 specify procedures for the management of the Federal Civil Service Retirement Fund during periods of debt limitation.

Reasons for Change

When the current debt limit is reached, the Treasury will be unable to meet the Federal Government's financial obligations and to manage the Federal debt effectively.

The Congress has included a permanent increase in the debt limit as part of H.R. 2491 (the 1995 reconciliation bill) that is currently in conference between the House of Representatives and the Senate. The 1995 reconciliation bill creates a path that leads to a balanced budget in 2002. The magnitude of this task has not permitted the Congress to complete this effort as of today's date. The Committee believes it is imperative to increase the debt limit on a temporary basis while the Congress deliberates on the fiscal year 1996 budget to facilitate the smooth functioning of the Federal Government and to prevent any disruption of financial markets.

The Committee seeks to assure that, to the maximum extent possible under the statutory debt limitation, the Secretary of the Treasury and other officials shall invest and disinvest Federal trust funds and special accounts solely for the purposes of accounting for the income and disbursements of these programs. The Committee further intends that the investments of the trust funds and special accounts are made timely, in accordance with the normal investment practices of the Treasury, and are not drawn down prematurely, for the purpose of avoiding limitations on the public debt or to make room under the limit for the Secretary to issue new debt obligations in order to cover other expenditures of the Government.

However, the Committee does not intend that any limitation on the public debt preclude the Secretary and other officials from paying benefits from the various cash benefit programs, e.g., Social Security, Federal Civil Service and Military Retirement, and Unemployment Insurance, or have the effect of limiting the Secretary from obtaining the cash necessary to pay such benefits on time.

Explanation of Provisions

Increase in public debt (sec. 1 of the bill)

The bill increases the statutory limit on the public debt to \$4.967 trillion for debt outstanding prior to December 13, 1995. After December 12, 1995, the debt limit will be \$4.8 trillion, beneath the present-law limit of \$4.9 trillion.

Debt management provisions (secs. 2-3 of the bill)

The bill precludes the Secretary of the Treasury and other officials from refraining to properly credit trust funds and special accounts with securities for the purposes of avoiding reaching, or otherwise being constrained from borrowing, by limitations on the public debt. Further, during any period in which the Secretary and other officials are unable to issue new debt obligations due to a limitation on the public debt, they may not sell or redeem securities, obligations, or other assets of these trust funds and special accounts, except when necessary to provide for the payment of benefits and administrative expenses of the various cash benefit programs.

The bill also requires the Secretary of the Treasury to report to the Congress and the General Accounting Office (GAO) three days before he makes a sale or redemption of securities from these funds or accounts during a period of debt limitation, and requires the GAO to monitor compliance with the measures set forth in this bill and report its findings and recommendations to each House of Congress.

The bill repeals Subsections (j), (k), and (l) of section 8348 of Title 5 of the U.S. Code, and subsections (g) and (h) of section 8438.

Effective Date

The bill is effective on the date of enactment.

III. VOTES OF THE COMMITTEE

In compliance with clause 2(l)(2)(B) of rule XI of the Rules of the House of Representatives, the following statement is made concerning the votes of the Committee in its consideration of the bill.

Motion to report the bill

The bill, as amended, was ordered favorably reported on November 7, 1995, by a roll call vote of 21 yeas and 13 nays, with a quorum present.

The vote was as follows:

Yeas	Nays
Mr. Archer	Mr. Gibbons
Mr. Crane	Mr. Rangel
Mr. Thomas	Mr. Matsui
Mr. Shaw	Mrs. Kennelly
Mrs. Nancy Johnson	Mr. Coyne
Mr. Bunning	Mr. Levin

Mr. Houghton Mr. Cardin
Mr. Herger Mr. McDermott
Mr. McCrery Mr. Kleczka
Mr. Hancock Mr. Lewis
Mr. Camp Mr. Payne
Mr. Ramstad Mr. Neal
Mr. Zimmer Mr. Christensen

Mr. Sam Johnson

Ms. Dunn Mr. Collins Mr. Portman Mr. Laughlin Mr. English Mr. Ensign

Votes on amendments

The Committee defeated an amendment (12 yeas and 22 nays) by Mr. Cardin to the Crane amendment, to substitute a temporary increase in the debt limit to \$4.967 trillion for the provisions of the bill as introduced. The vote was as follows:

Mr. Gibbons Mr. Archer Mr. Rangel Mr. Crane Mr. Thomas Mr. Matsui Mrs. Kennelly Mr. Shaw Mr. Coyne Mrs. Nancy Johnson Mr. Levin Mr. Bunning Mr. Cardin Mr. Houghton Mr. McDermott Mr. Herger Mr. Kleczka Mr. McCrery Mr. Lewis Mr. Hancock Mr. Payne Mr. Camp Mr. Neal Mr. Ramstad Mr. Zimmer Mr. Nussle Mr. Sam Johnson Ms. Dunn Mr. Collins Mr. Portman Mr. Laughlin Mr. English Mr. Ensign

The Committee defeated an amendment (12 yeas and 22 nays) by Mr. Payne to substitute a temporary increase in the debt limit to \$4.985 trillion until either the later of December 12, 1995, or the 30th day after the date on which a budget reconciliation bill is presented to the President for the provisions of the bill as introduced. The vote was as follows:

Mr. Christensen

Yeas Nays Mr. Gibbons Mr. Archer Mr. Rangel Mr. Matsui Mrs. Kennelly Mr. Coyne Mr. Levin Mr. Cardin Mr. McDermott Mr. Kleczka Mr. Lewis

Mr. Payne

Mr. Neal

Mr. Crane Mr. Thomas Mr. Shaw

Mrs. Nancy Johnson Mr. Bunning

Mr. Houghton
Mr. Herger
Mr. McCrery
Mr. Hancock
Mr. Camp
Mr. Ramstad
Mr. Zimmer
Mr. Nussle
Mr. Sam Johnson
Ms. Dunn
Mr. Collins
Mr. Portman

Mr. Portman Mr. Laughlin Mr. English Mr. Ensign Mr. Christensen

IV. BUDGET EFFECTS OF THE BILL

A. COMMITTEE ESTIMATES OF BUDGETARY EFFECTS

In compliance with clause 7(a) of rule XIII of the rules of the House of Representatives, the following statement is made concerning the effects on the budget of the bill as reported.

The bill will have no effect on budget receipts or outlays.

B. STATEMENT REGARDING NEW BUDGET AUTHORITY AND TAX EXPENDITURES

In compliance with subdivision (B) of clause 2(l)(3) of Rule XI of the Rules of the House of Representatives, the Committee states that the bill involves no new budget authority and no new or increased tax expenditures.

C. COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

In compliance with subdivision (C) of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, requiring a cost estimate by the Congressional Budget Office (CBO), the following statement prepared by CBO is provided.

U.S. Congress, Congressional Budget Office, Washington, DC, November 7, 1995.

Hon. BILL Archer, Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2586, an act providing for a temporary increase in the public debt limit and for other purposes, as ordered reported by the House Committee on Ways and Means on November 7, 1995.

H.R. 2586 would increase the ceiling on public debt to \$4.967 trillion through December 12, 1995, after which the ceiling will be lowered to \$4.8 trillion.

Current law provides that surpluses in trust funds and other specified government accounts must be invested in Treasury securities. This legislation would add an explicit provision that the Treasury cannot refrain from or delay properly crediting cash inflows to trust funds and other government accounts to avoid increasing the debt limit. Furthermore, the Treasury would not be permitted to disinvest government accounts for the purpose of reducing the amount of outstanding debt subject to limit.

The bill also provides that if the debt limit constrains the Treasury's ability to pay benefits for trust fund programs (such as Social Security), the Secretary may redeem trust fund securities and issue a corresponding amount of marketable debt to raise the cash to pay such benefits. The bill would limit the size of the redemption to the upcoming month's benefits, and the Secretary of the Treasury would have to report that action to the Comptroller General of the

United States.

By itself, this bill would not affect direct spending or receipts, so there would be no pay-as-you-go scoring under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985. Enactment of this legislation would not directly affect the budgets of state and local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact on this issue is Jeff Holland.

Sincerely,

JAMES L. BLUM (For June E. O'Neill, Director).

V. OTHER MATTERS TO BE DISCUSSED UNDER HOUSE RULES

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to subdivision (A) of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, relating to oversight findings, the Committee advises that it was as a result of the Committee's oversight activities concerning the limit on the public debt and the management of the public debt that the Committee concluded that it is appropriate to enact the provisions contained in the bill. (See also Parts I.A and I.B of this report for a discussion of the need for the legislation and the legislative history.)

B. SUMMARY OF FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

With respect to subdivision (D) of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, the Committee advises that no oversight findings or recommendations have been submitted to this Committee by the Committee on Government Reform and Oversight with respect to the provisions contained in the bill.

C. INFLATIONARY IMPACT STATEMENT

In compliance with clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee states that the provisions of the bill are not expected to have an overall inflationary impact on prices and costs in the operation of the national economy.

VI. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 3101 OF TITLE 31, UNITED STATES CODE § 3101. Public debt limit

(a) * * * * * * * * * * *

(b) The face amount of obligations issued under this chapter and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) may not be more than \$4,900,000,000,000 outstanding at one time, subject to changes periodically made in that amount as provided by law through the congressional budget process described in Rule XLIX of the Rules of the House of Representatives or otherwise. During the period after the date of the enactment of this sentence, the preceding sentence shall be applied by substituting for the dollar amount contained therein—

(1) "\$4,967,000,000,000" for the portion of such period before December 13, 1995, and

(2) "\$4,800,000,000,000" after December 12, 1995.

* * * * * * *

SECTION 8348 OF TITLE 5, UNITED STATES CODE

§8348. Civil Service Retirement and Disability Fund

(a) * * * * * * * * * * * *

I(j)(1) Notwithstanding subsection (c) of this section, the Secretary of the Treasury may suspend additional investment of amounts in the Fund if such additional investment could not be made without causing the public debt of the United States to exceed the public debt limit.

[(2) Any amounts in the Fund which, solely by reason of the public debt limit, are not invested shall be invested by the Secretary of the Treasury as soon as such investments can be made without available to sublic debt limit.

exceeding the public debt limit.

[(3) Upon expiration of the debt issuance suspension period, the Secretary of the Treasury shall immediately issue to the Fund obli-

gations under chapter 31 of title 31 that (notwithstanding subsection (d) of this section) bear such interest rates and maturity dates as are necessary to ensure that, after such obligations are issued, the holdings of the Fund will replicate to the maximum extent practicable the obligations that would then be held by the Fund if the suspension of investment under paragraph (1) of this subsection, and any redemption or disinvestment under subsection (k) of this section for the purpose described in such paragraph, during such period had not occurred.

 $\mathbf{I}(4)$ On the first normal interest payment date after the expiration of any debt issuance suspension period, the Secretary of the Treasury shall pay to the Fund, from amounts in the general fund of the Treasury of the United States not otherwise appropriated, an amount determined by the Secretary to be equal to the excess of—

((A) the net amount of interest that would have been earned by the Fund during such debt issuance suspension period if—

(i) amounts in the Fund that were not invested during such debt issuance suspension period solely by reason of

the public debt limit had been invested, and

(ii) redemptions and disinvestments with respect to the Fund which occurred during such debt issuance suspension period solely by reason of the public debt limit had not occurred, over

(B) the net amount of interest actually earned by the Fund during such debt issuance suspension period.

[(5) For purposes of this subsection and subsections (k) and (l) of this section-

I(A) the term "public debt limit" means the limitation imposed by section 3101(b) of title 31; and

[(B) the term "debt issuance suspension period" means any period for which the Secretary of the Treasury determines for purposes of this subsection that the issuance of obligations of the United States may not be made without exceeding the public debt limit.

- [(k)(1) Subject to paragraph (2) of this subsection, the Secretary of the Treasury may sell or redeem securities, obligations, or other invested assets of the Fund before maturity in order to prevent the public debt of the United States from exceeding the public debt
- [(2) The Secretary may sell or redeem securities, obligations, or other invested assets of the Fund under paragraph (1) of this subsection only during a debt issuance suspension period, and only to the extent necessary to obtain any amount of funds not exceeding the amount equal to the total amount of the payments authorized to be made from the Fund under the provisions of this subchapter or chapter 84 of this title or related provisions of law during such period. A sale or redemption may be made under this subsection even if, before the sale or redemption, there is a sufficient amount in the Fund to ensure that such payments are made in a timely
- [(l)(1) The Secretary of the Treasury shall report to Congress on the operation and status of the Fund during each debt issuance suspension period for which the Secretary is required to take action under paragraph (3) or (4) of subsection (j) of this section. The re-

port shall be submitted as soon as possible after the expiration of such period, but not later than the date that is 30 days after the first normal interest payment date occurring after the expiration of such period. The Secretary shall concurrently transmit a copy of such report to the Comptroller General of the United States.

(2) Whenever the Secretary of the Treasury determines that, by reason of the public debt limit, the Secretary will be unable to fully comply with the requirements of subsection (c) of this section, the Secretary shall immediately notify Congress of the determination. The notification shall be made in writing.]

SECTION 8438 OF TITLE 5, UNITED STATES CODE

§8438. Investment of Thrift Savings Fund

(a) * * *

[(g)(1) Notwithstanding subsection (e) of this section, the Secretary of the Treasury may suspend the issuance of additional amounts of obligations of the United States, if such issuances could not be made without causing the public debt of the United States to exceed the public debt limit, as determined by the Secretary of the Treasury.

[(2) Any issuances of obligations to the Government Securities Investment Fund which, solely by reason of the public debt limit are not issued, shall be issued under subsection (e) by the Secretary of the Treasury as soon as such issuances can be issued

without exceeding the public debt limit.

(3) Upon expiration of the debt issuance suspension period, the Secretary of the Treasury shall immediately issue to the Government Securities Investment Fund obligations under chapter 31 of title 31 that (notwithstanding subsection (e)(2) of this section) bear such interest rates and maturity dates as are necessary to ensure that, after such obligations are issued, the holdings of obligations of the United States by the Government Securities Investment Fund will replicate the obligations that would then be held by the Government Securities Investment Fund under the procedures set forth in paragraph (5), if the suspension of issuances under paragraph (1) of this subsection had not occurred.

(4) On the first business day after the expiration of any debt issuance suspension period, the Secretary of the Treasury shall pay to the Government Securities Investment Fund, from amounts in the general fund of the Treasury of the United States not otherwise appropriated, an amount equal to the excess of the net amount of interest that would have been earned by the Government Securities Investment Fund from obligations of the United States during

Fund that were available for investment in obligations of the United States and were not invested during such debt issuance suspension period solely by reason of the public debt limit had been invested under the procedure set forth in paragraph (5), over

(B) the net amount of interest actually earned by the Government Securities Investment Fund from obligations of the United States during such debt issuance suspension period.

[(5) On each business day during the debt limit suspension period, the Executive Director shall notify the Secretary of the Treasury of the amounts, by maturity, that would have been invested or redeemed each day had the debt issuance suspension period not oc-

[(6) For purposes of this subsection and subsection (h) of this section-

(A) the term "public debt limit" means the limitation imposed by section 3101(b) of title 31; and

[(B) the term "debt issuance suspension period" means any period for which the Secretary of the Treasury determines for purposes of this subsection that the issuance of obligations of the United States may not be made without exceeding the public debt limit.

(h)(1) The Secretary of the Treasury shall report to Congress on the operation and status of the Thrift Savings Fund during each debt issuance suspension period for which the Secretary is required to take action under paragraph (3) or (4) of subsection (g) of this section. The report shall be submitted as soon as possible after the expiration of such period, but not later than 30 days after the first business day after the expiration of such period. The Secretary shall concurrently transmit a copy of such report to the Executive Director and the Comptroller General of the United States.

[(2) Whenever the Secretary of the Treasury determines that, by reason of the public debt limit, the Secretary will be unable to fully comply with the requirements of subsection (e) of this section, the Secretary shall immediately notify Congress and the Executive Director of the determination. The notification shall be made in writ-

ing.]

VII. DISSENTING VIEWS OF THE DEMOCRATIC **MEMBERS**

This bill is a travesty, a thinly-veiled attempt to blackmail the President of the United States to accept unnecessary tax cuts for the rich coupled with drastic cuts in social programs, like Medicare and Medicaid. This bill is not a good-faith effort to enable the government to pay its bills. This bill is partisan politics, pure and simple. We will not support this short-term increase in the debt ceiling because it is nothing more than Republican manipulation.

House Republicans have already voted three times to increase the debt limit to \$5.5 trillion, a cap that should allow the government to function until well into 1997.

On May 18, 1995, 230 Republicans voted in favor of the House Report on H. Con. Res. 67, the Budget Resolution on Fiscal Years

On June 29, 1995, 231 Republicans voted in favor of the Conference Report on H. Con. Res. 67, the Budget Resolution for Fiscal Years 1996–2002.

On October 26, 1995, 223 Republicans voted in favor of the House Report on H.R. 2491, The Seven-Year Balanced Budget Reconciliation Act.

Each of those items of legislation included a long-term increase in the debt ceiling to \$5.5 trillion. Virtually every House Republican has approved that increase three times already. In addition, all Republican Members of the Committee on Ways and Means and the Committee on the Budget voted a fourth time to increase the debt limit when those Committees acted on the above-mentioned items of legislation.

A long-term increase in the debt limit is simply a matter of "when," not "if." In order to continue paying the nation's bills, Treasury must have the authority to borrow. The Republican Congressional Leadership has acknowledged this publicly and has agreed to increase the borrowing limit. They simply want to do it in a way that they think will force the President to accept Republican spending and taxing priorities. The Republicans want to combine a long-term increase in the debt limit with their huge, wrong-

minded budget bill.

It is entirely unnecessary to combine a long-term increase in Treasury's authority to borrow with the current budget reconciliation bill. The Republican Leadership is playing political games by connecting the two. The Republican budget bill is comprised of odious, unfair policies-like Medicare cuts that finance tax cuts for the wealthy. What do Medicare cuts that finance tax cuts for the rich have to do with paying our bills on time? How can the Republican Leadership call tax cuts for the wealthy paid for by Medicare cuts "getting our fiscal house in order," while they would let our fiscal house fall down around us by making it extraordinarily more difficult, potentially impossible, for Treasury to pay our nation's bills on time.

It is absolutely critical to enact a long-term increase in the debt ceiling so that Treasury can have enough cash to pay our nation's obligations. It is critical for all Americans because if the Republican leadership impedes Treasury's ability to pay our bills, interest rates will go up. That means the Republican Leadership will be responsible for increases in the household bills of all Americans as mortgage rates, car loan rates, and education loan rates go up. They will be responsible for an immediate decrease in the value of

pension funds.

Treasury Secretary Robert Rubin has written to the Republican Leadership at least six times in the last several weeks about this matter. Secretary Rubin has emphasized the importance to the country and to financial markets of dealing with the debt ceiling expeditiously-which, in this case would mean moving a separate bill, not tied to the larger, more difficult bill. Is the Republican Leadership's commitment to fiscal responsibility only a political ploy, only a buzzword to fool the American people? If they were truly responsible they would work to enact a long-term increase in the debt ceiling—and do it now.

> SAM GIBBONS. C.B. RANGEL. BARBARA B. KENNELLY. WILLIAM J. COYNE. SANDER M. LEVIN. BENJAMIN L. CARDIN. JIM McDermott. PETE STARK. ROBERT T. MATSUI. GERALD D. KLECZKA. JOHN LEWIS. LEWIS F. PAYNE, Jr. RICHARD E. NEAL.

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